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receipt*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Blackshear *et al.***Application No.** 10/511,362**Filed:** October 15, 2004**Confirmation No.** 3754**For:** COMPOSITIONS AND METHODS FOR
DIAGNOSTICS AND THERAPEUTICS
FOR HYDROCEPHALUS**Examiner:** Not yet assigned**Art Unit:** 2877**Attorney Reference No.** 4239-64828-02

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent
for Applicant(s)Date Mailed June 21, 2005

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PETITION TO CORRECT FILING RECEIPT

Applicants received the official Filing Receipt for the application referenced above, a copy of which (with requested correction shown) is attached as Exhibit A.

The following error appears on the Filing Receipt:

The filing date of the application as typed on the Filing Receipt (October 14, 2004) is incorrect. The correct filing date is October 15, 2004. Attached as Exhibit B is a copy of the Transmittal Letter that accompanied the application to the Patent Office, bearing the date of deposit of October 15, 2004. Attached as Exhibit C is a copy of a tracking printout from the United States Postal Service website, indicating that the package was accepted by the United States Postal Service in Portland, Oregon at 4:33 pm on October 15, 2004.

It is believed that this error arose because the Patent Office Express Mail receipt was incorrectly dated October 14, 2004. This change in the filing date will not affect Applicants' entitlement to the April 19, 2002, priority date of the parent PCT patent application.

A \$130 petition fee (37 CFR § 1.17(h)) is enclosed.

By this Petition, Applicants request that the USPTO correct the filing date of the application and issue a corrected official Filing Receipt.

Please call the undersigned if any further information is required.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Anne Carlson, Ph.D.
Registration No. 47,472

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/511,362	40/14/2004 10/15/2004	2877	1716	4239-64828-02	15	59	6

CONFIRMATION NO. 3754

36218

KLARQUIST SPARKMAN, LLP
 121 S.W. SALMON STREET, SUITE #1600
 ONE WORLD TRADE CENTER
 PORTLAND, OR 97204-2988

FILING RECEIPT



OC000000015772814

SEARCHED, INDEXED, COPY MADE, FILED

Date Mailed: 04/25/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Perry J Blackshear, Chapel Hill, NC;
 Darryl C. Zeldin, Chapel Hill, NC;
 Joan P. Graves, Raleigh, NC;
 Deborah J. Stumpo, Durham, NC;

Power of Attorney: The patent practitioners associated with Customer Number 36218.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/12348 04/18/2003
 which claims benefit of 60/374,184 04/19/2002
 and claims benefit of 60/388,266 06/13/2002

Foreign Applications

Projected Publication Date: 07/28/2005

Non-Publication Request: No

Early Publication Request: No

EXHIBIT

tabbed

A

Title

Compositions and methods for diagnostics and therapeutics for hydrocephalus

Preliminary Class

356

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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EXPRESS MAIL MAIL NO. EV514604915US

DATE OF DEPOSIT: October 15, 2004

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371		ATTORNEY'S DOCKET NUMBER 4239-64828-02
INTERNATIONAL APPLICATION NO. PCT/US03/12348	INTERNATIONAL FILING DATE 18 April 2003	U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5) Not yet assigned
TITLE OF INVENTION COMPOSITIONS AND METHODS FOR DIAGNOSTICS AND THERAPEUTICS FOR HYDROCEPHALUS		
APPLICANT(S) FOR DO/EO/US Perry J. Blackshear, Darryl C. Zeldin, Joan P. Graves and Deborah J. Stumpo		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. § 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)). 9. <input checked="" type="checkbox"/> A Declaration of Inventorship and Powers of Attorney from the inventors 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)). <p>Items 11. to 16. below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 and the Recordal fee of \$40.00 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <ul style="list-style-type: none"> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Abstract on a separate page. <input checked="" type="checkbox"/> Diskette containing an electronic copy of a Sequence Listing. <input checked="" type="checkbox"/> Paper copy of the Sequence Listing, <u>55</u> pages. <input checked="" type="checkbox"/> Statement in Compliance verifying the identify of the above copies. 		

EXHIBIT
B

EV514604915US

JUN 2 3 2005

EXPRESS MAIL LABEL NO. EV514604915US
DATE OF DEPOSIT: October 15, 2004

U.S. APPLICATION NO. (If known) (37 C.F.R. § 1.5) Not yet assigned	INTERNATIONAL APPLICATION NO. PCT/US03/12348	ATTORNEY'S DOCKET NUMBER 4239-64828-02
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS (PTO USB ONLY)
BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):		
Neither International Preliminary Examination fee (37 C.F.R. § 1.482) nor International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,110.00		
International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00		
International Preliminary Examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO as an International Searching Authority \$790.00		
International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00		
International Preliminary Examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 750.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	59 - 20 =	39
Independent Claims	6 - 3 =	3
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		
+ \$230.00		
TOTAL OF ABOVE CALCULATIONS = \$ 1,716.00		
<input type="checkbox"/> Reduction of 1/2 for filing by small entity. Small entity status is claimed for this application.		
SUBTOTAL = \$ 1,716.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. §§ 1.492(f)).		
TOTAL NATIONAL FEE = \$ 1,716.00		
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.		
TOTAL FEES ENCLOSED = \$ 1,756.00		
REFUND → \$		
CHARGE → \$		

a. A check in the amount of \$ 1,756.00 to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

d. Please return the enclosed postcard to confirm that the items listed above have been received.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO THE ADDRESS ASSOCIATED WITH
CUSTOMER NUMBER 36218

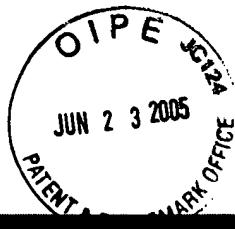
KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, OR 97204-2988

Anne Carlson
SIGNATURE

Anne Carlson, Ph.D.
NAME

47472
REGISTRATION NUMBER

cc: Docketing



Track & Confirm

Shipment Details

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Your item was delivered at 8:52 am on October 18, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON. Detailed shipping information has been restored from files offline.

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- ARRIVAL AT UNIT, October 17, 2004, 6:59 am, DULLES, VA 20102
- ENROUTE, October 16, 2004, 7:01 pm, DULLES, VA 20102
- ENROUTE, October 15, 2004, 6:48 pm, PORTLAND, OR 97238
- ACCEPTANCE, October 15, 2004, 4:33 pm, PORTLAND, OR 97205

Notification Options

► Request Proof of Delivery

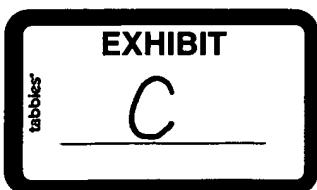
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Blackshear *et al.*

Application No. 10/511,362

Filed: October 15, 2004

Confirmation No. 3754

For: COMPOSITIONS AND METHODS FOR
DIAGNOSTICS AND THERAPEUTICS FOR
HYDROCEPHALUS

Examiner: Not yet assigned

Art Unit: 2877

Attorney Reference No. 4239-64828-02

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ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent
for Applicant(s)

Date Mailed June 21, 2005

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- Petition to Correct Filing Receipt
- Exhibits A-C
- Petition fee of \$130.00
- Check in the amount of \$130.00 to cover the petition fee

- The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

Anne Carlson, Ph.D.
Registration No. 47,472

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cc: Docketing